

CITY OF BARRE.

Revised Ordinances of the City of Barre.

CHAPTER XX.
Of Pounds and Estrays.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. There shall be established by the city council one pound, within the city, for the impounding of all beasts liable to be impounded.

Sec. 2. It shall be the duty of the city council to appoint such pound-keepers, as may be required to take care of and keep such pound as may be established, whose compensation shall be the same as provided by the laws of this state for pound-keepers in towns.

Sec. 3. The city council shall annually appoint three persons to act as haywards, whose duty it shall be to take up and deliver to the keeper of any pound in the city, any sheep, goat, swine, horse, cow or other neat cattle found running at large in any street, lane or common within the city.

Sec. 4. Such notice of the impounding of any beast shall be given, as now provided by the general laws of this state.

CHAPTER XXI.
Of Elections.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. All warnings for annual or special ward meetings for the election of city or ward officers, and for general meetings of all the legal voters of the city, for raising special city taxes, or for any other purpose, shall be issued by the mayor. One copy of such warning shall be posted in some public place in each of the wards of the city, and one copy in the office of the city clerk, and published once in any newspaper printed and published in the city, not less than ten nor more than twenty days previous to such meeting, by or under the direction of the city clerk.

CHAPTER XXII.
Of Public Lights.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. The standing committee on lights appointed by the city council is hereby authorized and required to contract in behalf of the city for furnishing all necessary lights for the streets, lanes, alleys, parks, squares and public buildings of the city for a term of not more than five years, as in the judgment of said committee may appear advantageous to the city. Separate contracts may be executed for lighting any portions of said streets, lanes, alleys, parks and squares, and for any or all of said public buildings, subject to the approval of the city council.

CHAPTER XXIII.
Of City Property.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. The standing committee on city property appointed by the city council shall have the general supervision of all matters relating to the land, parks, and public buildings belonging to the city, and the care, preservation, renting, use and occupancy of all buildings owned or used by the city.

Sec. 2. The small room located at the northeasterly corner of the third floor of the City Hall building is hereby set aside for the free use and occupancy of the members of the R. B. Crandall Post, G. A. R., and the Ladies of the Grand Army, and they are authorized to give the free use of said room to the Spanish American war veterans, and the Sons of Veterans at such times as they may require it; providing it does not interfere in any way with their use of said room.

CHAPTER XXIV.
Of City Scales.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. The city may annually contract in writing for suitable scales, being for the use of and under the control of the city authorities, for periods not exceeding one year, whose scales are hereby declared to be the city scales; and competent and reliable persons shall be annually appointed by the city council to have the care and use of such scales. Said scales shall be sealed once annually by the seal of weights and measures, at the expense of the city.

Sec. 2. Whenever a person who has purchased a load of hay, coal or other bulky merchandise commonly sold by weight, requests the driver of the team employed to transport said hay, coal or other merchandise, to convey the same to the city scales and procure a certificate of the weight from one of the public weighers in charge thereof, the driver shall comply with such request, and for refusal so to do he shall be punished by a fine of not less than two dollars nor more than twenty dollars. The seller or driver shall pay a fee of ten cents for each load so weighed, which fee shall be retained by the weigher as compensation for his services unless he is at the time under pay from the city.

Sec. 3. All persons supplying hay, coal or merchandise of a bulky nature to the city except in cases where it is not practical to do so shall cause the same to be weighed on the city scales and furnish to the city the certificate of the weigher for the same.

CHAPTER XXV.
On Sale and Measurement of Wood.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. The city council shall annually appoint one or more persons to be surveyors of wood and inspectors of lumber and shingles, whose duty it shall be, at the request of any party interested, to measure or classify all wood and lumber offered for sale within the city limits, and to furnish to each person, so offering wood and lumber for sale, a certificate of measurement of each load of wood or lumber; and he may charge for each certificate of measurement a reasonable compensation for his services.

Sec. 2. Any person who shall violate any of the provisions of this chapter shall be punished by a fine of not less than one dollar nor more than ten dollars.

CHAPTER XXVI.
Of the Police Department.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. The police department of the city of Barre shall consist of the chief of police and such number of policemen for regular duty and such other policemen as the mayor may think necessary and as the city council may from time to time appoint, who shall hold their office during the pleasure of the appointing power, and shall, under such rules as may be approved by the city council or from time to time be prescribed by it, perform all duties required of them as day and night police, in accordance with the ordinances of the city and laws of the state; and they shall receive such hourly, daily, monthly or yearly salaries, in full for all services and expenses, as the city council may determine.

Sec. 2. Special police officers shall be appointed in section 1, may be appointed by the mayor for special purposes, and the guarding and protecting of private property, as the public good or the convenience or necessity of private individuals, firms or corporations may require. Such special police officers shall be appointed in the same manner, except as to confirmation by the board of aldermen, and be subject to all the ordinances, rules and regulations of the police department, so far as applicable to the case. Such policemen shall serve at the expense of the person, society or corporation desiring such appointment, and shall receive expense or liability on the part of the city except when otherwise ordered, and they shall not perform police duty except in the premises and for the purposes for which such appointment shall be made. When on duty, and at no other time, they shall wear a plain badge, marked with the word "Police," which they shall display when making an arrest. Such badge shall be furnished at their expense, or the expense of the person, firm, society or corporation employing them.

Sec. 3. To be eligible to appointment on the regular police force, a person must be a citizen of the United States; be at least five feet, eight inches in height; sound in body; of good general health, and of good moral character. Applications for appointment must be made to the mayor in writing, stating the age, nativity, height and recent residence of the applicant, and whether or not he is a citizen of the United States, can read and write the English language, is sound in body, and of good general health.

Sec. 4. The chief of police and the policemen for regular duty, before entering upon the duties of their office, shall each give a bond in the sum of five hundred dollars, with sufficient sureties, to be approved by the city council, for the faithful performance of the duties of their respective offices.

Sec. 5. The chief of police shall be the head of the police department and under the direction of the mayor, the aldermen and the committee on police department, shall have the control of the department, its property, officers, and members and all other constables and other officers when engaged in the service of the department. It shall be his duty to see that the police station is kept in order, and the other property well taken care of, that all the members of the force are properly attired and equipped, and cleanly in person and clothing, that they are well instructed in their duties, and reform them, and he shall be responsible for their general deportment, order and efficiency as a police force.

The chief shall report without delay, to either the mayor or committee on police department, any instance of insubordination, neglect of duty, drunkenness, lewdness, undue violence in making an arrest, abuse of power, or any other gross offense or violation of the rules, regulations or provisions of this chapter. It shall be his duty to see that the police force is as soon as may be to the board of aldermen; the charges, and if necessary suspend the offending member until the next meeting of the council or board of aldermen.

Sec. 6. The chief shall make to the city council a monthly report of the condition of the property in his charge, and of the force under his superintendence, and of all cases of insubordination, inefficiency or meritorious service on the part of any member. He shall at the same time report the number of arrests that have been made, by whom, and for what crime or offense. He shall annually, in the month of January, make a report to the city council, covering the affairs of his office during the past year.

Sec. 7. The chief shall keep at his office suitable books, in which shall be entered:

1. The names of all regular and special policemen, his place of residence, when appointed, the force, when dismissed and for what cause, and any neglect of duty or breach of the rules, or any meritorious service.

performed, the time of each member on duty, and any delinquency in promptly reporting for duty, with the excuse if any.

II. A complete descriptive list of each and every person arrested brought to the police station, giving his name, nativity, age, height, complexion, color of hair and eyes, the amount of money he may have in his possession, his present residence and the offense for which he is arrested.

III. Every complaint made upon personal knowledge with the name and residence of the complainant, and any information he may receive from policemen or others of offenses committed, or persons suspected.

IV. A registry of lost, missing or stolen property, and all property recovered, or taken from persons arrested.

Sec. 8. The chief shall promptly repair to the scene of any fire, riot, or threatened disturbance, with an adequate force to guard the firemen from annoyance, and assist them if need be, save and protect property, or arrest thieves and disorderly persons.

Sec. 9. All lost or stolen property recovered by any policeman, or taken from a prisoner, shall be delivered at once to the chief of police, and the officer making the delivery shall first mark each separate article so as to be able to identify the same and then see that they are entered on the registry with a particular description of the kind or amount, and where, or from whom obtained. And it is the duty of the chief to give a receipt to such officer for such property, and make such entry thereof in his book, and how such property was disposed of, which book shall be open for inspection at any time by any member of the city council.

Sec. 10. Every policeman shall wear his full uniform when on duty, and display his shield conspicuously on the left breast of the outer garment, except when detailed for detective duty. Policemen are required to be cleanly in dress and appearance, with beard well trimmed, and boots clean.

Sec. 11. No policeman on regular duty shall be absent from the city, or be excused from duty, except by consent of the chief or the mayor. Every member of the police force must be excused from duty by the chief in case of sickness or necessary absence. All excuses must be sent to the chief, or the patrolman will lose his time. For the first offense without excuse the penalty shall be one day's pay for each day lost; second offense double the first penalty; and the third offense will be punishable with suspension, which shall at once be reported to the city council for action.

Sec. 12. Members of the police must faithfully patrol the streets and not stand upon the streets, or hold conversation with persons thereon, except in necessary discharge of their duties.

Any police officer may arrest, without warrant upon view, any person who is found intoxicated in the city.

All persons, when so arrested without warrant, must be as soon thereafter as possible, taken before a proper court or magistrate so that they may be duly complained of and prosecuted for the offense for which they are arrested. But nothing contained in this section shall authorize the arrest, without warrant, for the violation of the city ordinance, after twelve o'clock at night on Saturday until after twelve o'clock at night of the following Sunday. But arrests of persons found intoxicated may be made on Sunday as well as on other days of the week. Nothing in this section shall be construed to deprive a policeman or a policeman or member of the city council to arrest, without warrant, in such cases as the general law of the state permits of such arrests.

Sec. 13. No policeman shall receive a gift or reward of any kind from a prisoner or person under arrest, or against whom a complaint has been made, or who is known or suspected to be guilty of any offense against the laws or ordinances, or from any friend of such persons, on penalty of being dismissed from the force. No policeman shall receive a gift or reward from any person for service he may have rendered as a policeman, or for service rendered from or by other policemen, or other officer any fee, fine or costs, or part thereof, without the consent of the city council. Application for permission to receive or retain such gift must be made in writing, and without delay.

All fines, penalties and fees received by any member of the police force for services rendered while under pay from the city, except those on duty by the hour and except witness fees for testimony in courts and fees for keeping, shall belong to the city and be paid into the city treasury. Members of the force whose salaries are fixed per day, shall be considered as under pay for the entire period of twenty-four hours; those whose salaries are fixed per month, shall be considered as under pay during all the hours of the calendar month; and those whose salaries are fixed per year, shall be considered as under pay during all the hours of the municipal year.

Sec. 14. No member of the force shall smoke, or drink any intoxicating liquor while on active duty. All gambling and playing of cards or any game of chance in the police station is strictly prohibited, nor shall any intoxicating drinks be allowed there except as a medicine, and by advice of a physician. Persons having no business there shall not be allowed in or about the station.

Sec. 15. Policemen are particularly cautioned against revealing any of the secrets of the department, especially such as may enable suspected persons to escape, or to secrete stolen property.

Sec. 16. All policemen shall carry a small blank book in which to make memoranda of important facts and circumstances concerning any offense of which he may be cognizant. A fine of one dollar will be imposed on any officer who neglects to make the proper entries in his blank book.

Sec. 17. Policemen, whether on duty or not, must note all facts and circumstances tending to throw suspicion on persons or houses; note all cruelty to brute animals; injuring trees or scratching and defacing houses, doors and fences; peddling or selling anything in the street, or other use or occupancy of the street except as permitted by the ordinances; collecting of crowds on the streets and public squares to the annoyance of peaceable citizens; failure of street lights to be lighted and burning as they should be; and must take notice of all offenses against the laws of the state and ordinances of the city coming under their observation, and so far as they may be authorized to do so, cause the offenses to be abated and the offenders punished, and the cases reported to the chief of police. The chief of police, personally or by one of the officers under him, shall see that all persons peddling in the city are in possession of the necessary licenses, and also see that all persons giving a show or exhibition in the city have the license required by the city ordinances.

Sec. 18. Any member of the police force who shall prove to be incompetent or inefficient in his office, or who shall be guilty of disobedience or disrespect to his superior officer, or who shall be intoxicated, or visit any drinking saloon, gambling house, brothel, or other disreputable place, except in the discharge of his duty, or who shall use profane or obscene language, beat or bruise a person unnecessarily in making an arrest, maltreat a prisoner, take money or other valuable things for compounding an offense, or for performing or neglecting to perform his duty, or who shall be guilty of any other offense, shall be subject to reprimand, suspension without pay, or dismissal from the force, according to the nature and circumstances of the offense.

Sec. 19. The chief of police may establish such rules and regulations for the government of the police, and not inconsistent with the city ordinances, as may be approved by the city council.

CHAPTER XXVII.
Of Saloons, Victualing Houses, Etc.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. No person shall open or keep a hotel, city, victualing house, lunch room or lunch wagon within the city until he shall have first obtained a license therefor from the city council, which license shall be issued by the city clerk, who shall keep a record of the same on file in his office and shall have paid to the city treasurer for the use and benefit of the city treasury a license fee of five dollars.

All licenses granted under the provisions of this section shall specify the time for which the same are granted and shall in no case continue or be in force, longer than until the first day of April next following the date thereof, and shall not be assigned or transferred without the approval of the city council or board of aldermen.

Sec. 2. No person shall place or keep any table, stall, stand, booth, or other erection in any street, lane, alley or public place or on any square or sidewalk in the city for the sale of fruit, soft drinks, refreshments, or wares of any kind until he shall have first obtained a license therefor, which license shall be issued by the city clerk who shall keep a record of the same on file in his office, and shall have paid to the city treasurer for the use and benefit of the city treasury a license fee of five dollars. And no license under this section shall be granted to cover a period of more than thirty days at a time, and the holders thereof shall not be allowed to interfere with the free and convenient use of the street or sidewalk by pedestrians.

Sec. 3. The city council or board of aldermen may at any time upon hearing and sufficient cause being shown revoke any license granted under the provisions of this chapter.

Sec. 4. Every person who shall violate any of the provisions of this chapter shall be punished by a fine of not less than five dollars nor more than fifty dollars.

CHAPTER XXVIII.
Of Billiard Rooms, Bowling Alleys, Etc.

Section 1. No person shall open or keep any billiard or pool room, bowling alley, shooting gallery, or place wherein the game of billiards, pool, ten-pin, or other like game is played, or set up, keep, maintain any billiard or pool table, bowling floor or other contrivance for playing games in this city, for public use, until he shall have first obtained a license therefor, which license shall be issued by the city clerk who shall keep a record of the same on file in his office and shall have paid to the city treasurer for the use and benefit of the city treasury, a license fee of five dollars for the first table, alley, or shooting gallery and one dollar for each additional table or alley.

Sec. 2. All licenses shall specify the time for which the same are granted, and shall in no case have force longer than to the first day of April next following the date thereof and shall not be assigned or transferred without the approval of the city council or board of aldermen. The city council may at any time upon hearing and sufficient cause being shown revoke any license granted under the provisions of this chapter.

Sec. 3. No person keeping any billiard room or other place as aforesaid, or having the care or control thereof, shall allow, suffer or permit any gambling or gaming therein.

Sec. 4. No person shall violate any of the provisions of this chapter shall be punished by a fine of not less than five dollars nor more than fifty dollars.

CHAPTER XXIX.

Of Itinerant Vendors, Peddlers, Showmen, Etc.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. No person shall exhibit a show of any kind within the city of Barre until he shall have first obtained a license therefor, which license shall be issued by the city clerk who shall keep a record of the same on file in his office, and shall have paid to the city treasurer a license fee as provided in section 4 of this chapter.

Sec. 2. No person shall pursue the vocation of itinerant vendor or peddler or auctioneer within the city of Barre until he shall have first obtained a license therefor, which license shall be issued by the city clerk, who shall keep a record of the same on file in his office, and shall have paid to the city treasurer a license fee as provided in section 4 of this chapter.

Sec. 3. No person shall sell or peddle from vehicles about the city any meat, fish or other provisions until he shall have first obtained a license therefor, which license shall be issued by the city clerk, who shall keep a record of the same on file in his office, and shall have paid to the city treasurer a license fee as provided in section 4 of this chapter. But this section shall not apply to owners or renters of land selling produce raised by them.

Sec. 4. The fees for licenses under this chapter shall be as follows: Managerial and circus or combination thereof, fifty dollars; all other shows as aforesaid, two dollars, for each day's performance. Itinerant vendors, peddlers, auctioneers, vendors and peddlers of meat, fish and provisions from vehicles, three dollars.

Sec. 5. All licenses granted under the provisions of this chapter shall specify the time for which the same are granted and shall in no case continue or be in force longer than until the first day of April next ensuing, and the fees paid therefor shall be for the use and benefit of the city treasury.

Sec. 6. No person licensed as provided herein shall interfere with the ordinary passage of business or travel on the streets or walks, and no license under this chapter shall prevent the suppression or discontinuance of any show or business if the same shall create a disturbance of the public peace and the same may be suppressed for such cause upon the order of the chief of police.

Sec. 7. Any person who shall fail or neglect to apply for and receive a license as herebefore provided for who shall in any manner violate any of the provisions of this chapter shall be punished by a fine of not less than five dollars nor more than fifty dollars.

CHAPTER XXX.

Of Public Hacks, Truckmen, Etc.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. No person shall set up, use or drive in the city, any public hack or public truck, wagon or express wagon for hire until he shall have first obtained a license therefor, which license shall be issued by the city clerk, who shall keep a record of the same on file in his office, and shall have paid to the city treasurer for the use and benefit of the city treasury a license fee of one dollar.

Sec. 2. All licenses granted under the provisions of this chapter shall continue to be in force until the first day of April next following the date thereof and the same may upon hearing and sufficient cause being shown be revoked by the city council or board of aldermen.

Sec. 3. Any person who shall violate any of the provisions of this chapter shall be subject to a fine of not less than five dollars nor more than fifty dollars.

CHAPTER XXXI.

Of the Registration of Physicians and Others.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. Every physician, surgeon, midwife or person practicing medicine, surgery or midwifery, and every undertaker and every sexton of a cemetery or burial place within the limits of the city, shall be registered as such physician, surgeon, midwife, undertaker or sexton, in the office of the city clerk, in a book kept for that purpose, and shall pay to the city clerk, for the use and benefit of the city treasury a registry fee of one dollar; and no person shall act in either of the aforesaid capacities in this city, who shall not first cause such registry to be made as aforesaid, and sign the same. The word "surgeon" shall be held to include all such as practice dentistry.

Sec. 2. Every person who shall violate any of the provisions of this chapter shall be punished by a fine of not less than five dollars nor more than fifty dollars.

CHAPTER XXXII.

Of the Registration of Births.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. A physician or midwife, if one be present, otherwise the head of the family in which a birth occurs, shall, within ten days thereafter fill out and file with the city clerk a certificate of birth in the form prescribed in section 3293 of the public statutes. This certificate must be filed with the city clerk within ten days after the birth of a human being.

Sec. 2. In the name of the child or any material fact is not reported, the city clerk, upon receipt of such certificate, shall, excepting cases of still birth, forthwith send to the father or mother of such child a copy of the certificate as filed, and such parent shall insert the name of the child and give other material facts not reported in such certificate. Said form shall have printed thereon proper instructions and the penalty for neglect to comply with the provisions of this section.

Sec. 3. After making the proper additions and corrections, such parent shall, within thirty days from the date of such birth, return such certificate to the city clerk who shall complete the original certificate of birth accordingly; and for each certificate so completed the city clerk shall receive ten cents, to be paid by the city.

Sec. 4. A person who fails to comply with the provisions of this chapter shall be fined five dollars to the use of the city or town in which the birth occurs.

CHAPTER XXXIII.

Of Deaths and Burials.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. A dead body of a human being shall not be buried, entombed or removed from the city, or otherwise disposed of, without a certificate of permission issued and signed as hereinafter provided, by the health officer or deputy health officer, and in their absence by the city clerk.

Sec. 2. The physician who is last in attendance upon a deceased person during his last illness shall immediately fill out a certificate of death which shall contain all the facts indicated in the form prescribed in section 3308 of the public statutes.

Sec. 3. When a person dies within the city without medical attendance, the head of the household where such death occurs, or the next of kin, shall immediately notify the health officer, or a member of the local board of the city, who shall, after proper investigation, and if deemed necessary by him, after an autopsy to determine the cause of death, issue a certificate of death.

Sec. 4. A physician who fails to furnish a certificate of death within thirty-six hours after the death of a human being in the city, giving a true statement of the cause of such death, and all the facts provided for in the blank form for death certificates, so far as these facts are obtainable, shall be fined not less than ten dollars to the use of the city.

Sec. 5. The physician or person filling out the certificate of death shall, within thirty-six hours after death, deliver the same to the family of the deceased, if any, or to the undertaker or person who has charge of the body, which certificate shall be filed with the person issuing the certificate of permission for burial, entombment or removal obtained by the person who has charge of the body, before such dead body shall be buried, entombed or removed from the city. When such certificate of death is so filed, such officer or person shall immediately issue a certificate of permission for burial, entombment or removal of the dead body under legal restrictions and safeguards of death issued under this chapter states that the cause of death was small-pox, varioloid, Asiatic cholera, typhus fever, scarlet fever, scarlatina, diphtheria or bubonic plague, such certificate must be filed with the health officer, or some member of the local board of health; and a burial, entombment or removal permit issued in accordance with section 5438 of the public statutes, must first be obtained and signed by the person issuing the same.

Sec. 7. Whenever a dead body is brought into this city from without the state for burial or entombment, the health officer or city clerk shall issue a certificate of permission for burial or entombment upon receiving a certified copy of the death certificate or the removal or transit permit accompanying such body, issued under the laws of the state or country where the person died.

Sec. 8. If it is desired to bury, entomb or otherwise dispose of a dead body within the limits of this city, the certificate of permission shall state plainly the time, place and manner of such burial, entombment or disposition; and if it is desired to remove a dead body from this city, the certificate of permission shall contain the essential facts contained in the death certificate on which it is issued, and shall accompany the body to its destination.

Sec. 9. For each return of a burial permit by a sexton or keeper of a cemetery or burial place and the record of the same in the city clerk's office in accordance with the provisions of this chapter the sexton or keeper shall be entitled to a fee of twenty-five cents.

Sec. 10. A person who buries, entombs, transports or removes the dead body of a human being without a certificate of permission so to do, or in any other manner, or at any other time or place than as specified in such certificate, shall be imprisoned not more than one year, or fined not more than five hundred dollars nor less than ten dollars, or both.

CHAPTER XXXIV.

Of the City Physician.

Be it ordained by the City Council of the City of Barre as follows:

Section 1. There shall be appointed by the city council annually in the month of March a city physician, who shall serve until the first day of April next following the day of his appointment, or until his successor is appointed and qualified and shall be subject to removal at any time for cause.

Sec. 2. It shall be the duty of the city physician, under such appointment, to care for and attend professionally as doctor of medicine, any and all sick, injured and disabled persons (including cases of confinement) residing in the city, for whose support the city may be held liable, or who may be dependent on some other town or city in this state for support.

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THE END
OF IT ALL.

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"Say, captain," said the recruiting sergeant as he entered the room where his superior was seated in a building on South street, New York. "I've got a jim dandy of a recruit. He's a swell."

"He isn't the sort we want."

"But he says he's bound to enlist either in the army or navy."

"Bring him in."

The captain had seen Thomas Dalton's kid before. It always began with a false name—the first name that came into their heads—and it almost always ended in desertion or tragedy. He sized the young man up as he stood at the desk, and he made mental memoranda as follows:

"Hasn't got through college yet. Got into some scrape. Old man has given him a dressing down. Young fellow is proud and won't stand it. Hasn't the money to go abroad or take a tour out west and is going to enlist in spite of the governor. Old man will buy him out of the service in six months. The mother's tears will make him do it. He's bound to take the army or navy. Six months of discipline will take some of the frolic out of him, and I'll give him a show to settle down."

The usual questions were asked and answered, the young man was sent to the surgeon, and before sundown he belonged to Uncle Sam. The sergeant, being now his superior officer, started out to patronize the "fresh fish."

It didn't work. He wanted to talk confidentially. The recruit was mum. Nothing further was learned about him, and after three or four days he was sent off to Jefferson Barracks to go west to Fort Thomas. They wanted recruits out there. The Sioux were threatening to go on the warpath again.

There are men among army officers who should never have been commissioned. Their temperaments unfit them to preserve discipline and rule as they should. Such a man was Captain Coleman of Company G. He was quite temperamental, irascible, peevish and martinet, and of the ten captains in the regiment he was oftenest in trouble with his men and was obliged to report the most desertions. James Dalton was assigned to Company G, and within two days and for no reason that he or his comrades could argue out the captain was down on him and showed it in various ways. It wasn't two weeks before he was in the guardhouse for some dereliction that would have been passed over in another. The colonel was a fatherly man, and in his desire to be fatherly toward the young recruit he made matters worse.

Dalton asked for no one's sympathy. He gave no one his confidence. He tried his best to obey all regulations and fit himself for a soldier. He would have had praise from the right sort of officer. Indeed, he did have it in a way from the lieutenants of the company, but there was nothing but growing and fault-finding from the captain. His conduct almost created a scandal at the post. One day on company drill he was singled out and needlessly rebuked and sneeringly criticized and ordered off to the guardhouse under arrest. There was a muttering up and down the ranks, but this only provoked Captain Coleman to add other charges. That night in the guardhouse a gray haired corporal said to Dalton through the slats of the door:

"What it's about I dunno, but the captain isn't giving you a square deal."

"And it will grow worse instead of better," replied the prisoner.

"You can bank on that. He's hounded a dozen men out of the company since I got these stripes. It'll be court martial and five years for you if he can bring it about."

"And what shall I do?"

"I've got to go out to post No. 3. I shall be gone fifteen minutes. The heavy iron poker has got in with you somehow. If I was inside there, I believe I could pry off these slats with it."

"Thank you."

When the sergeant returned, Dalton was gone; also one of the muskets and a belt of fifty cartridges. Over on officers' row a private soldier with a musket in his hands stood for three or four minutes looking up at a certain window as if thinking to send a bullet into the opening. Then he lowered the musket and turned away and crept from the fort between posts Nos. 7 and 8. It was a summer evening, with the crickets singing, and the sentinels drowsed as they walked. Daylight brought excitement and a bustle. A member of Company G had deserted. Three muskets had been run off from the corral. Indian signal smoke had been seen at daylight, and by sunup settlers came pouring in with the news that Red Bull had broken loose and was in the hills with 500 warriors.

Dalton had made for the hills. He must go into hiding and exist some way until the hue and cry was over. He knew that the redskins were threatening, but he had no choice. In the darkness he crossed the mile wide plain and then made his way up the side of Eagle peak for the same distance, and the coming of daylight found the warriors all about him. All the long forenoon they could see the puffs from a score of Indian rifles. They knew that it was the soldier and deserter, but they could render him no aid until afternoon—until they knew that his last cartridge had been fired an hour before. Then 300 men marched out and found and buried the ghastly thing the fields had left. He and demanded ten lives for his one. He had estranged himself—enlisted, deserted and there among the rocks ended it all.

M. QUAD.

California.
name of California, derived from the two Spanish words *caliente* (hot) and *furnace*—was given by Cortes in the year 1533 to the peninsula of which he was governor on account of its hot